

Message

From: Minter, Douglas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C1A47CA3AE847E2B7B818DA4734D7FD-MINTER, DOUGLAS]
Sent: 4/8/2020 6:39:09 PM
To: DInnocenzo, Benjamin [Dinnocenzo.Benjamin@epa.gov]
Subject: RE: Financial Assurance Call

Thanks Ben: per my invite, I hope 3:30 pm can work for you.

From: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Sent: Wednesday, April 8, 2020 12:21 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: Financial Assurance Call

Hey Doug – certainly, my phone is forwarding. My afternoon is pretty full until 3:00 PM. Otherwise, wide open tomorrow. Let me know!

Thanks,

Benjamin D’Innocenzo
Financial Analyst
EPA | Region 8
(303) 312 6342

From: Minter, Douglas <Minter.Douglas@epa.gov>
Sent: Tuesday, April 7, 2020 3:36 PM
To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Subject: FW: Financial Assurance Call

Hi Ben: to help get some closure on this email conversation, would you have a few minutes to talk by phone tomorrow?

Happy to send an invite. My cell is Ex. 6 Personal Privacy (PP)

Thanks,

Douglas

From: Cheung, Wendy <Cheung.Wendy@epa.gov>
Sent: Tuesday, April 7, 2020 1:30 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: Financial Assurance Call

About 1700’-2000’, but as we’ve seen on the Blackfeet, the cost is highly dependent on P&A operators in the area.

From: Minter, Douglas <Minter.Douglas@epa.gov>
Sent: Tuesday, April 7, 2020 12:53 PM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Cheung, Wendy <Cheung.Wendy@epa.gov>; DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Financial Assurance Call

That's correct Lucita.

John's request to secure FA for just the first 100 wells to cover their first year of operation is based on the approach he says NRC is taking on FA coverage for their production wells.

Wendy: can you confirm the average depth of NS's Class III wells? Comparing per well plugging costs with DB may not be appropriate, but I am still curious to know. Similarly, Powertech is considering surety bond coverage for each well.

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Tuesday, April 7, 2020 12:18 PM
To: Cheung, Wendy <Cheung.Wendy@epa.gov>; DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Financial Assurance Call

Another point of clarification. Douglas told me that PT doesn't really plan on transitioning wells back and forth between production and injection. Therefore, I believe they are only planning to cover injection wells.

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Cheung, Wendy <Cheung.Wendy@epa.gov>
Sent: Tuesday, April 7, 2020 12:09 PM
To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Financial Assurance Call

Just to clarify, NS does not have a blanket bond for its entire facility, each well is bonded individually at about \$35K each – so their total bond fluctuates depending upon how many wells they have.

From: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Sent: Tuesday, April 7, 2020 11:59 AM
To: Cheung, Wendy <Cheung.Wendy@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Financial Assurance Call

Good Morning All – thanks for your input, Wendy. I believe Natural Soda's permit may have been issued before my arrival at the agency, or perhaps Daniela was still managing UIC FA at that time. I do not recall taking a staggered approach with NS.

Their facilities are pegged at \$35,000 P&A cost.

Benjamin D'Innocenzo
Financial Analyst
EPA | Region 8

From: Cheung, Wendy <Cheung.Wendy@epa.gov>

Sent: Tuesday, April 7, 2020 11:20 AM

To: Minter, Douglas <Minter.Douglas@epa.gov>; DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>

Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>

Subject: RE: Financial Assurance Call

NS provides FR for each well prior to adding to the area permit. When a well is P&A'd the FR is released and used for a new add a well. This is consistent with a Class II area permit approach.

Ex. 5 Deliberative Process (DP)

From: Minter, Douglas <Minter.Douglas@epa.gov>

Sent: Tuesday, April 7, 2020 10:10 AM

To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>

Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Cheung, Wendy <Cheung.Wendy@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>

Subject: RE: Financial Assurance Call

Ex. 5 Deliberative Process (DP)

Just fyi: many of these Class III wells will be completed at depths between 500 and 900 feet.

Douglas

From: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>

Sent: Tuesday, April 7, 2020 9:48 AM

To: Minter, Douglas <Minter.Douglas@epa.gov>

Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>

Subject: RE: Financial Assurance Call

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

All of this is being said in a voice of curiosity of course!

What does the team think?

Benjamin D'Innocenzo
Financial Analyst
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From: Minter, Douglas <Minter.Douglas@epa.gov>
Sent: Tuesday, April 7, 2020 9:15 AM
To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Cc: Cantor, Tiffany <Cantor.Tiffany@epa.gov>
Subject: FYI: Financial Assurance Call

Ex. 5 AC/DP

welcome any input you have before I follow up with John later this week. John is asking that Powertech demonstrate FA for the first year of planned wells (about 100 wells) prior to permit issuance rather than the wellfield as a whole (about 400 wells). His initial estimate for plugging is about \$1,400 per well. Powertech expects to develop and operate 14 wellfields in a staggered fashion over several years.

Thanks and let me know if you have any questions, etc. Douglas

8/26/19 Draft Class III Fact Sheet:

17.2 Estimated Cost to Plug and Abandon Injection Wells

...Part XIII, Section C requires the Permittee to provide the Director with an updated cost estimate for plugging and abandonment of all planned injection and production wells for the first wellfield to be developed before issuance of the Final Permit. The Permittee must provide the Director with demonstration of adequate financial responsibility to cover the plugging and abandonment of all planned injection and production wells for Burdock Wellfield #1 prior to issuance of the Final Permit. Once wellfield construction begins, the Permittee must provide annual updates by providing the Director with a list of wells planned for construction in the upcoming year and the demonstration of adequate Financial Responsibility for the new wells.

17.3 Timing for Updated Cost Estimate and Demonstration of Financial Responsibility

1. The Permittee is required provide the Director with an updated cost estimate for plugging and abandonment of all planned injection and production wells for the first wellfield to be constructed before issuance of the Final Permit.
2. The Permittee shall provide the Director with demonstration of adequate financial responsibility to cover the plugging and abandonment of planned injection and production wells for the first wellfield to be constructed prior to issuance of the Final Permit.

8/26/19 Draft Class III Permit:

Part XIII Section C: Timing for Updated Cost Estimate and Demonstration of Financial Responsibility

- 1 The Permittee shall provide annual updates by providing the Director with a list of wells planned for construction in the upcoming year and the demonstration of adequate Financial Responsibility for the new wells.
2. This information shall be provided to the Director by December 1 every year, to provide time for the Director to review and approve the updated demonstration of Financial Responsibility by Jan 1 of the following year.

From: Minter, Douglas
Sent: Tuesday, April 7, 2020 8:58 AM
To: John Mays <jmays@powertechuranium.com>
Subject: RE: Financial Assurance Call

Hi John: I should have an update for you later this week on FA for the Class III wells.

I will be in touch soon,

Douglas

From: John Mays <jmays@powertechuranium.com>
Sent: Monday, April 6, 2020 5:17 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: Re: Financial Assurance Call

Douglas,

Just checking in if you have any further developments on this since we last discussed.

Thanks.

John



John M. Mays

Chief Operating Officer
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From: John Mays <jmays@powertechuranium.com>

Date: Monday, March 23, 2020 at 11:38 AM

To: "Minter, Douglas" <Minter.Douglas@epa.gov>

Subject: Re: Financial Assurance Call

Douglas,

Attached is a couple of our comments related to this. F21 from 2019 and 77 from 2017.

Thanks.

John



John M. Mays

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From: "Minter, Douglas" <Minter.Douglas@epa.gov>

Date: Monday, March 23, 2020 at 10:06 AM

To: John Mays <jmays@powertechuranium.com>

Subject: RE: Financial Assurance Call

John: before I forget, had you provided any FA-related comments on the draft Class III permit either in 2017 or 2019. If so, did these comments cover what you expressed on the phone with me today?

Thanks,

douglas

From: John Mays <jmays@powertechuranium.com>
Sent: Monday, March 23, 2020 10:04 AM
To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: Re: Financial Assurance Call

I am having a hard time joining the meeting.



John M. Mays
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From: "DInnocenzo, Benjamin" <Dinnocenzo.Benjamin@epa.gov>
Date: Friday, March 20, 2020 at 10:11 AM
To: John Mays <jmays@powertechuranium.com>
Cc: "Minter, Douglas" <Minter.Douglas@epa.gov>
Subject: RE: Financial Assurance Call

Sure thing, sounds good!

Ben

From: John Mays <jmays@powertechuranium.com>
Sent: Friday, March 20, 2020 10:07 AM
To: DInnocenzo, Benjamin <Dinnocenzo.Benjamin@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: Financial Assurance Call

Can we talk Monday at 10am? I am at home today with my son and little busy with this.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "DInnocenzo, Benjamin" <Dinnocenzo.Benjamin@epa.gov>

Date: 3/20/20 08:41 (GMT-08:00)

To: jmays@powertechuranium.com

Cc: "Minter, Douglas" <Minter.Douglas@epa.gov>

Subject: Financial Assurance Call

Good Morning John,

Douglas Minter forwarded on an e-mail from you expressing interest in discussing FA for Class III and V facilities. I'd be happy to assist in any way I can. When would be a good time to give you a call?

Thanks,

Benjamin D'Innocenzo

Financial Analyst

EPA | Region 8

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